

REMARKS

Reconsideration and allowance are respectfully requested in light of the above amendments and the following remarks.

Applicant acknowledges with appreciation the indication in the Final Rejection that claims 19 and 20 are allowable.

Applicant wishes to thank the examiner for the courtesy extended to Applicant's representative during a telephone interview on June 5, 2006. A summary of the issues discussed during the interview follows.

Independent claims 13, 15, 21, and 22 have been amended generally in the manner discussed with the examiner during the interview for overcoming the 35 USC §101 rejections. Specifically, claim 13 has been amended to recite, in relevant part, "a detector that detects changes in each order component of a quantized LSP parameter, which represents spectral characteristics, in a predetermined period." The revised claim language indicates the "pre-computer activity" (as referenced in the Final Rejection section 2, lines 9-12) of transforming an acoustical speech signal into an electronic signal that may be represented by an LSP parameter. Additionally, the revised claim provides the "practical application" (as referenced in the Final Rejection section 2, lines 9-12) or "real world value" (as referenced in the MPEP on page 2100-16) of determining the

appropriate type of CODEC speech mode for representing an acoustic speech signal. Thus, the revised claim satisfies the requirements for statutory material set forth in the MPEP on page 2100-16. Similar amendments were made to independent claims 15, 21, and 22.

The amendments were not presented earlier due to the unforeseeability of the new rejections presented in the Final Rejection. The amendments do not present new issues and, therefore, entry of the amendments is warranted.

Moreover, Applicant respectfully submits that the claim amendments presented in Applicant's January 4, 2006, Response did not necessitate the new ground of rejection, as proposed in the Final Rejection (see Final Rejection section 5). As may be determined by examination of the January 4, 2006, claim amendments, none of the changes to the claims may be construed as changing the claims from statutory subject matter to non-statutory subject matter. Thus, withdrawal of the finality of the rejections is warranted.

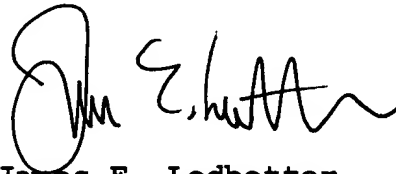
The Office has withdrawn its art-based rejections of the claims in light of Applicant's January 4, 2006, Response, and Applicant has revised the independent claims to better accord with the requirements of 35 USC §101. Therefore, allowance of

independent claims 13, 15, 21, and 22 and all claims dependent therefrom is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James E. Ledbetter", with a stylized, cursive script.

James E. Ledbetter
Registration No. 28,732

Date: June 26, 2006
JEL/DWW/att

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